

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Edward John Novotny

Defendant.

Western Division

Case Number: 2:11-CR-00886

Initial App. Date: 09/20/2011

Indictment

Initial App. Time: 2:00 PM

Date Filed: 09/16/2011

Violation: 18:922(a)(1)(A), 924(n), 922(a)(3), 924(d); 26:5861(d),

5872(a); 28:2461(c)

CourtSmart: 9-20-11

PROCEEDINGS HELD BEFORE UNITED STATES
MAGISTRATE JUDGE: Victor B. KentonCALENDAR/PROCEEDINGS SHEET
LOCAL/OUT-OF-DISTRICT CASE

PRESENT:

Horan, Roxanne

Deputy Clerk

Benjamin Barron

Assistant U.S. Attorney

None

Interpreter/Language

☐ INITIAL APPEARANCE NOT HELD - CONTINUED☒ Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and
☐ preliminary hearing OR ☐ removal hearing / Rule 20.☒ Defendant states true name ☒ is as charged ☐ is☐ Defendant advised of consequences of false statement in financial affidavit. ☐ Financial Affidavit ordered SEALED.☒ Attorney: Bruce Colodny, Retained ☐ Appointed ☐ Prev. Appointed ☐ Poss. Contribution (see separate order)☐ Special appearance by:☒ Government's request for detention is: ☐ GRANTED ☒ DENIED ☐ WITHDRAWN ☐ CONTINUED☐ Defendant is ordered: ☐ Permanently Detained ☐ Temporarily Detained (see separate order).☒ BAIL FIXED AT \$ 10,000 U.S. #13 (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)☐ Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: ☐ GRANTED ☐ DENIED☐ Preliminary Hearing waived.☐ Class B Misdemeanor ☐ Defendant is advised of maximum penalties☐ This case is assigned to Magistrate Judge . Counsel are directed to contact the clerk for the setting of all further proceedings.☐ PO/PSA WARRANT ☐ Counsel are directed to contact the clerk for

District Judge for the setting of further proceedings.

☐ Preliminary Hearing set for at 4:30 PM☐ PIA set for: at 8:30 AM in LA; at 9:30 AM in Riverside; at 10:00 AM in Santa Ana☐ Government's motion to dismiss case/defendant only: ☐ GRANTED ☐ DENIED☐ Defendant's motion to dismiss for lack of probable cause: ☐ GRANTED ☐ DENIED☐ Defendant executed Waiver of Rights. ☐ Process received.☐ Court ORDERS defendant Held to Answer to District of☐ Bond to transfer, if bail is posted. Defendant to report on or before☐ Warrant of removal and final commitment to issue. Date issued:

By CRD:

☐ Warrant of removal and final commitment are ordered stayed until☐ Case continued to (Date) (Time) AM / PM

Type of Hearing: Before Judge /Duty Magistrate Judge.

Proceedings will be held in the ☐ Duty Courtroom ☐ Judge's Courtroom☒ Defendant committed to the custody of the U.S. Marshal ☐ Summons: Defendant ordered to report to USM for processing.☐ Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.☐ Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.☒ RELEASE ORDER NO: 32876☒ Other: Arraignment held. See separate PIA Minutes

PSA

☐ FINANCIAL☒ READY

Deputy Clerk Initials

PK
Gmenis

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

CASE NUMBER:

CR 11-886

COMPLAINT:

INDICTMENT / INFORMATION:

VIOLATION OF TITLE:

SECTION: 28:2461(c)

Defendant Material Witness:

18:922(a)(1)(A), 924(h), 922(a)(3), 924(d); 26:5861(d), 5872(a)

☐ PERSONAL RECOGNIZANCE (Signature only - no dollar amount)☒ UNSECURED APPEARANCE BOND IN THE AMOUNT OF \$ 10,000

RELEASE No. 32876

☐ APPEARANCE BOND IN THE AMOUNT OF \$☐ WITH CASH DEPOSIT (AMOUNT OR %)☐ WITH AFFIDAVIT OF SURETY NO JUSTIFICATION (Form CR-4)☐ RELEASE TO PRETRIAL ONLY☒ FORTHWITH RELEASE☒ ALL CONDITIONS OF BOND

SHALL BE MET AND BOND

POSTED BY: 9/27/2011

Date

☐ WITH AFFIDAVIT WITH JUSTIFICATION OF SURETY (Form CR-3)☐ WITH DEEDING OF PROPERTY☐ COLLATERAL BOND IN AMOUNT OF (Cash or Negotiable Securities) \$☐ CORPORATE SURETY BOND IN AMOUNT OF (Separate Form Required) \$☐ ADDITIONAL REQUIREMENTS:☒ BAIL FIXED BY COURT☐ ALL REQUIREMENTS HAVE BEEN MET:

Deputy Clerk

Deputy Clerk

PRE-CONDITIONS TO RELEASE

☐ Bail is subject to Nebbia hearing which is a hearing to inquire about the source of the collateral.☐ The Nebbia hearing can be waived by the government.

ADDITIONAL CONDITIONS OF RELEASE

In addition to the GENERAL CONDITIONS of RELEASE, as specified on other side, the following conditions of release are imposed upon you:

☒ Defendant shall submit to: ☒ Pretrial Supervision. ☐ Intensive Pretrial Supervision.☒ Surrender all passports to the Clerk of Court, or sign a declaration no later than, _____ and not apply for the issuance of a passport during the pendency of this case.☒ Travel is restricted to: CD/CA☒ Do not enter premises of any airport, seaport, railroad, or bus terminal which permits exit from the Continental U.S. or area of restricted travel without Court permission.☒ Reside as approved by PSA and do not relocate without prior permission from PSA.☐ Maintain or actively seek employment and provide proof to PSA.☐ Maintain or commence an educational program and provide proof to PSA. /☐ Avoid all contact, directly or indirectly, with any person who is or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: _____☒ Not possess any firearms, ammunition, destructive devices, or other dangerous weapons. ☒ In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the US Marshal. *Transfer to licensed firearm person or 3rd party approved by PSA w/ list of weapons*☐ Not use/possess any identification other than in your own legal name or true name. ☒ In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the U.S. Marshal. *7 hrs.*☐ Not use alcohol.☐ Not use or possess illegal drugs. ☐ In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the US Marshal.☐ Submit to drug [and/or] alcohol testing and outpatient treatment as directed by PSA. You shall pay all or part of the cost for testing and treatment based upon your ability to pay as determined by PSA.☐ Participate in residential drug [and/or] alcohol treatment as deemed necessary by PSA. You shall pay all or part of the cost for treatment based upon your ability to pay as determined by PSA. ☐ Release to PSA only.☒ Participate in mental health evaluation, and/or counseling and/or treatment as directed by PSA. You shall pay all or part of the costs based upon your ability to pay as determined by PSA.Defendant Initials *XE-77* Date *9-20-11*

ORIGINAL - YELLOW COPY

PINK - PRETRIAL SERVICES

WHITE - DEFENDANT COPY

EDWARD JOHN NOVOTNY

CASE NUMBER:

CR 11-886

Defendant Material Witness.

- ☐ Participate in one of the following home confinement program components and abide by all requirements of the program which [] will or [] will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by PSA.
- [] Curfew. You are restricted to your residence every day: [] from _____ to _____. [] as directed by PSA.
- [] Release to PSA only.
- [] Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court-ordered obligations; or other activities as pre-approved by PSA. [] Release to PSA only.
- [] Home Incarceration. You are restricted to your residence at all times except for medical needs or treatment; religious services; and court appearances as pre-approved by PSA. [] Release to PSA only.
- ☐ Not possess or have access to, either in the home, the workplace, or any other location, any device which offers Internet access, except as approved by PSA. [] In order to determine compliance, you will agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the US Marshal.
- ☐ Not associate or have verbal, written, telephonic, or electronic communication with any person who is less than the age of 18 except in the presence of another adult who is the parent or legal guardian of the minor.
- ☐ Not loiter/be found within 100 feet of any school yard, park, playground, arcade, or other place primarily used by children under the age of 18.
- ☐ Not be employed by, affiliate with, own, control, or otherwise participate directly or indirectly in conducting the affairs of any daycare facility, school, or other organization dealing with the care, custody, or control of children under the age of 18.
- ☐ Not view or possess child pornography or child erotica. [] In order to determine compliance, you will agree to submit to a search of your person and/or property, including computer hardware and software, by Pretrial Services in conjunction with the US Marshal.

☒ Other conditions: Transfer statement to be provided to PSA w/in 1 wk (9-27-11) from today (9-20-2011). Exclude little John from transfer person

X 9. 20-11
Date

X Edward Novotny
Defendant/Material Witness' Signature

Home
X 626-280-7868
Telephone Number
Cell
626-826-8632

X Monterey Park, CA 91755
City, State And Zip Code

- ☐ Check if interpreter is used: I have interpreted into the _____ language all of the above conditions of release and have been told by the defendant that he or she understands all of the conditions of release.

Interpreter's signature

Date

Approved: _____
United States District Judge / Magistrate Judge

Date

If Cash Deposited: Receipt # _____

For \$ _____

(This bond may require surety agreements and affidavits pursuant to Local Criminal Rules 46-3.2 and 46-6)

ORIGINAL - YELLOW COPY

PINK- PRETRIAL SERVICES

WHITE - DEFENDANT COPY